

*Tho. Egerton*  
**A Collection**

*of the Lawes & Statutes*  
of this Realme concer-  
ning Liueries of com-  
panies and Rectey-  
nours.

(.:.)

*Leges sine moribus quid?*

*In ædibus Richardi Tottelli.*

Anno. 1571.

Februario. 17.

*Cum privilegio.*



# A Collection

of the

of this

ing

and

books.

(2)

the

In

Anno. 1771.

1771.

Can

S  
th  
fo  
an  
fo  
th  
do  
th  
La  
as  
the  
the  
mon  
the



# To the Reader.

(:.)



OR AS MVCHE  
as yt hath pleased  
the Queene our most  
soueraigne Lady, of  
her exccadinge Cle-  
mency, by her Pro-  
clamacion, to gyue  
warning vnto all her

Subiectes, to forbear from offending, against  
the lawes & Satutes made in this Realme,  
for the punishment of the geeuers of Liucries  
and Retaynours, and therein, to forgiue all  
forsaytures, for all suche offences, done afore  
the xx daye of this Moneth, so that the offen-  
dours from thencefoorth cease to offende: I  
therefore hauing gathered the Statutes and  
Lawes, made in that behalfe, in such order  
as they were made, thought good to publyshe  
them at this present, that all Subiectes seing  
the hurtes that thereby ensue vnto the com-  
mon wealth, and the greate penalties that  
they incurre, may for the comon welth, and

A.ii.

their

## To the Reader.

their owne profyte, cease to offende: and way-  
ing wyth them selues, the bounteous libera-  
litie of her highnesse, as duetifull  
Subiectes, acknowledge her benig-  
nitie, and dayly pray to GOD,  
that we may long with due  
humilite, obay & lyue,  
vnder her gracious  
gouernement.

(.:.)

wh  
tou  
con  
Ed  
lect  
Ital  
A  
wri  
cert  
proc  
long  
& Co  
spire  
rygh  
rygh

# Liueries and Re- Folio. i. teynours.



They, which retaine  
men in the Coun-  
trei to theyre lyue- Liueries.  
ries and fees, for to fees.  
mayntayne theyre Mainteine.  
malycious enter-  
prises, & to drowne  
the truth, and they

whiche are so retayned: are Conspira- Conspiratores  
tours. As apeareth by the definition of  
conspiratours, made in the 33. yeare of  
Edwarde the first, which is in the Col-  
lectiō of Statutes made by master Ka-  
stall, in y<sup>e</sup> tytle Cōspiracy, y<sup>e</sup> first statut.

And the partye greeued may haue a  
writte of Conspiracy, not onely, when Conspiracy.  
certeine do conspire to sue an appele or Appele.  
procure an inditement of Murder, Fe- Indite.  
loni, Escape or other trespass agaynst  
y<sup>e</sup> Corone, but also where they do cō- Corone  
spire and procure one whiche hath no  
ryght, to emplede & sue hym that hath Sue.  
ryght, and so cause hym to waste and Begger.

A. iij.      spende



## Liuceries and

Registrum bre-  
uium, fol. 134

spende hys goodes and lyuinge, as ap-  
peareth by a Writt in the Register of  
originall writtes. Fol. 134.

**Conspiracy.**  
**Iudgement.**  
**Dammages**  
**Imprisonmt.**

43. E. 3. fo 33.  
**Conspiracy.**

II

The iudgement in a writt of Con-  
spiracye sued by the partye is, that the  
pleyntife shal recouer hys dammages,  
and that the defendaunt shalbee impri-  
soned: as appeareth in the addicions vn-  
to 43. Edward. 3. the 28. case, the 33. leaf,  
which is abridged, in the great Abrid-  
gement of Master Fitzherbert, in the  
tytle Conspiracy the ii. case.

**Conspiratoꝝ**  
**Indited.**

**Iudgement**  
**Lawe**

**Jurours.**

**Courtes**

**Attourneys**

**Landes**  
**Forsepture**  
**Estripped.**

The Conspiratours also may bee in-  
dyted thereof, and if they be conuicted,  
then is the iudgement that they shall  
lose the freedome of the lawe, to then-  
tent that they bee not put in anye Assi-  
ses, Iuries, or other where to witnesse  
the truthe, and that they shall not ap-  
proche nygh the kinges Courtes, and  
if they haue to do in those courtes, that  
they do make their Attourneys, & that  
their landes, goodes, and cattalles shal  
be sealed into the kynges handes, and  
estripped, yf they can haue no better  
fauour



faunour, and their trees rased bp, & their  
bodies to prison. As apeareth by the 27  
booke of Assises, the 59 plee, whych is 27. A. B. 59  
abridged by Master Fitzherbert in hys  
great Abridgemēt, p 216 case in y tytle  
Judgement. And in Michelmas terme  
24 Edward 3 the 34 case, on the 34 leaf 24. E. 3. 34.  
which is in the same tytle Judgement  
the 190 case, thys Judgement, ys called Judgement  
the villanous iudgement, for the villa- Villanous  
ny and shame yt bringeth vppon hym 48 af. p. 11 n.  
agaynst whome it is geuen.

At the Parlyamēt holden the 20 yere 20. E. 3.  
of Edward the thyrd, because by dy- The preamble  
uers complaintes made vnto the king,  
he perceyued, that the lawe of the land, Lawe.  
whiche he by his Othe, was bounde to King  
Othe.  
mayntayn, was the lesse wel kept, and  
thereducion of the same disturbed, ma-  
ny times by maintenaunce, & procure- Mainteinc.  
ment, as well in the Courte as in the Procurement.  
countrey, he greatly mooued of consci-  
ence in thys matter, & for this cause de-  
syring, asmuch for y pleasure of God,  
and ease & quietnesse of hys Subiects,

A.iiij. as

## Liueries and

20. E. 3. ca. 1.

Justices

Laue

Subiectes

Letters

Ryght.

Fauour

Othe.

as to saue hys conscience, and to saue & keepe his Othe aforesayd, by the assent of the Nobles, & other wyle men of the Counsayl, ordayned in the first chapter of that Parlyamēt, which is the thirde statute in the title of Justice in the sayd Collection of Statutes: That hys Justices, shoulde from thencefoorth, do equall law and execution of right, to al his subiectes, ryche or pooze, wout havyng regarde to anye person, & wythout stayinge to proceede to doo ryght (accoordynge to the lawe & vsage of this royalme) for any letters or commaundements which may come to them, fro the kyng or from any other, or by any other cause. And to the entent that y kynges Justices shoulde do euen ryght to all people, wout shewyng more fauour to one then to another, hee dyd cause the Justices to bee sworne, that they shoulde not from thencefoorth, as long as they shoulde be in offyce of Justice, take fee or robe of any, but of the kyng hym selfe &c.

And

And in the fyfth Chapter of that statute, which is in the saide Collection of statutes, in y<sup>e</sup> tytle of Mayntenance the 4 Statute, as followeth. Item because wee bee enformed that manye bearers mainteynours of quareles and parties in the Countrey, be maynteyned and bozne by Lordes, wherby they bee the more encouraged to offend, and by procurement, couine and maintenance of such bearers in the Countrey, many be disherited, and some delayed & distourbed of they<sup>r</sup> ryght, and some not gylty conuicted and condemned, or otherwise oppressed, to the vndoing of their estate, and to the notozious destruction of our people: Wee haue commaunded & do commaund, that all the great men from henceforth, shall boyd from their Retynue, Fees, & Robes, all such bearers & maynteynours in the Countrey, wythout shewyng to them, any ayde, fauour or comfort in any maner.

20. E. 3. ca. 5.

Mainteyned  
Lordes

Procurement

Oppressions

Retiue.

Fees.

Liheries.

And in the vi. Chapter therof, which is also in the sayde Collection of Statutes

20. E. 3. ca. 6.



## Liuceries and

**Iustices of  
Ass.  
Commission.  
Mainteinours  
Jurours.**

**Subuersion  
of lawe**

**Chauncelour  
Treasorer**

tutes, in the tytle of Iustices of Assise the 3 Statute. He ordayned, that the Iustices assigned to take Assises should haue commission sufficient, to enquire amongst other thinges of that, that y maynteynours, embzasours & iurours in the Countrey, do take gyftes, rewardes & wages of the partyes, wherby losses and dammages too greuous, do come to the people day by day, in subuercion of the law, and in disturbance of comen ryght. And that those Iustices, shall punyssh all them, which therof shalbee found gylty, accorดยnge as lawe and reason requyrezeth, aswell at the sute of the king, as of the parties, & therebpon charged his Chauncellour & Treasourer, to heare the complayntes of all them which will complayne, and to ordeyne that speedy remedy be therof made.

These statutes do shewe parte of the mischiefes that came by retayninge, in that some Nobles, had some of the kinges Iustices, of theyr Ketyvue, Fee & liuery,



linerye. Other had maynteynours and bearers of quarelles, and some suche maynteynours to maynteyne theyre owne estate, did take gyftes, rewarde and fees of the partyes, and sheweth the prouision the kyng had to auoyde them, but declareth no newe penalty to the offendours, but a more speedy remedye before the Iustices of Assise, so that the punishment remainned as the common lawe afore did punyshe Conspiratours and Maynteynours. The punishment of Conspiratours is afore declared in the firste and secounde lease.

The Iudgement in a writt of Main-  
tenance, brought by the party, ys, that  
the pleintife shall recouer his damma-  
ges susteyned by reason of the defen-  
dantes maynteynance. And vpon the  
enditement, I take yt, that the iudge-  
ment is, that the partye shalbee impri-  
soned, and pay a fyne and raunsome to  
the kyng. But what the iudgement  
certainly is quere, For I do not reme-  
ber

Iudgement  
writt  
Maintenāce  
Damunages

Inditement  
Imprison.  
Raunsome

## Liueries and

her that I haue seen in any booke, any iudgement geuen vppon an inditement of Mayntenaunce.

27. a. p. 44.

Kings bench.

Retayners

Liueries

Fees.

Maintenā

Conspiratozs

Maintenāce.

Procurementz

Yet in the 27 booke of the Reportes of the Assises, and of the Pleees of the Crowne in the tyme of Edward the thyrde, in the 44 plee, amongst the articles which are to be enquired by the questes of office in the Kinges Bench, yt appeareth that these thinges folowynge are to be enquired of there, that is to say, of those whych receyve men into their liueries or Fees, to drowne the trueth, and to mayntayne their yll enterprises. And of those conspiratours and confederates, whych bynde them selues the one to the other, by Othe, Couenant, or other alpaunce or bond, that every one shall ayde and sustayn others enterpryse, bee it false or true. And that falsly cause men to be condempned or acquitted, or falsly moue or maynteyn suites, the maner of their alpaunce and betwene whome. Also of those whiche receyue people vnto their auowement,

nowement, or mayntenaunce, takyng of them certayne fees by the yere, by waye of gyfte or rent, or in the name Chiage, to maynteyn them by ryght or wrong. Maintenāce  
Fees.  
Chuage

And in the same booke the 34 plee, certeyne were endyted of confederacy, for y they had enter alped or bound the selues one to the other by Othe, erche of them to maynteyne thothers quarell, whether their matter were true or fals. And although that the enditement dyd not suppose, that they had put their confederacye in vze in anye thinge, they were arrayned and putt to aunswere, for that the confederacye it selfe is a thinge forbidden in the law, but I finde no Judgement geuen thereupon. 27. A. P. 34  
Endyted  
Confederacy.  
Maintenāce

And note here that the common law of this Realme, is (as it were) so ielous of iustice, and so suspicious of suche retaynours, that in case the Shirisfe of any Shire, be of the livery of any person, it is a good cause to remoue anye pleynt begonne by hym whose livery he Lawe.  
Shirisfe  
Liverye.



## Liueries and

County  
Court  
Challenge

Natura breuium.  
fol. 12  
Remone.  
Pleint.  
Court

Lawe

he weareth) in the County Court. And also it is a good Challenge to the array of any inquest retourned in any actiō, to save that the Shyriffe or hys clerke, or vnder shryue that dyd retourne that Wannel, ys of the Lyueries of anye of the partyes to that Action. And in the olde *Natura breuium*, it is thought a good cause to remoue a pleynt out of any other base Court, to save, that the Bayly, whych shoulde execute the proces, is of the pleyntifes liuery, for the lawe doth presume that for feare or affectiō, iustice shal not take place, against him whose liuery is woꝛne.

And although it be a thing so much mislyked of the lawe, because it ys the hynderaunce of execution and admy-  
nistratiō of lawe, yet although there were no greater punishment prouy-  
ded for offenders therein, there ys no default to be imputed to the comon law of this Realme, which (as the diligent heeder therof may easely perceauē) at the first, *Dans operam potius ne quid fiat*

*quam*



*quam ut factum puniatur, sicut prudentis*  
*legislatoris est,* did but only declare what  
ys ryght & what wzong, and by what  
meanes the partye wzonged maye ob-  
tayne his ryght. And then, when that  
the subiectes dyd shunne that whiche  
was declared to be euyl: There was  
not so greate necessitie of greuous pu-  
nishment. But since vice hath more &  
more sprong forth *ex malis moribus or-*  
*tae sunt bone leges,* and as abuses haue  
shelwed their mischiefe, the Statutes of  
this Kealme haue prouyded remedies,  
as the state of the tyme wherein they  
were made did require. And if it be no-  
ted yt shall appeare, that for the moste  
offences, the punishment was not by  
the Common lawe, but imposed by  
some statute, as appeareth euen in this  
matter whereof this Treatise ys, for  
whiche no certeyne punishment was  
prouyded in all the tyme of kyng Hen-  
rye the 3 nor of kyng Edward the .i.  
(who muche bent him selfe to the fur-  
thering of the lawes of this Kealme, &  
there

## Liueries and

therefore besydes many Parlyaments  
and Statutes made in his tyme, he ap-  
pointed in y<sup>e</sup> beginning of his raigne,  
certeine persons, to collect in a shorte  
somme, the effect of the whole lawe, and  
publyshed the booke vnder the autho-  
ritie of his wytt, commaunding it to  
bee obserued and kept throughout hys  
Kealme, as in the beginnynge of the  
booke, now commonly called *Britton*  
plainly appeareth, no<sup>r</sup> in the tyme of  
kyng Edward the second, no<sup>r</sup> of kyng  
Edward the third, but only as ys afoze  
shewed, and it seemeth by Maister  
Stamforde in hys thirde booke of the  
Plees of the Cozone the 175 lease. e. that  
the terrible iudgement, that is afoze no-  
ted, to be giuen agaynst Cōspiratours,  
ys when yt ys enquired for the kyng  
by vertue of the statute *de Articulis sus-  
per cartas*, but I fynde no iudgement  
certain, declared in those statuts, which  
we haue commonly extant vnder that  
name. And it seemeth, that perhappes  
bycause the iudgement vpon the indite-  
ment

*Britton.*

*Lib. 3. ca. 12*

*Articuli sup  
cartas. ca. 10.*

ment, being so greuous, was of pitye  
omitted, and the other vppon the par-  
ties accion so small, was neglected, the  
offenders did day by day encrease more  
and more, and therfore in the first yere  
of king Rychard the second, in the vij.  
Chapiter, which is in the Collection of  
Statutes, the first statute, in the tytle  
Liueries of Companies and Retay-  
hours, It was enacted as followeth.

1. R. 2. ca. 7

¶ Because that dyuers men of small  
garrison or reuenuue of Lande, Kent, Retynue  
or other possessions, do make great re-  
tinue of people, as well of Esquyers as Esquyers  
of other, in many partes of the realme,  
geuyng to them chaperons and other  
liuery of one suyte by the yere, recey- Liuerie.  
vinge the value of the same liuerye, or Receyue  
per case the double value, vppon suche  
Couenaunt and assurance, that euerye  
of them shall maynteine other in all Maintayne  
quarrelles, be they reasonable or unrea-  
sonable, to the greate mischief and op-  
pression of the people. It was ordey-  
ned and assented that the estatutes and

B. i.

ordi-



Statutes  
executed.

Liury

Imprisonmt.  
Forfeiture  
Iustices of  
Assise.  
Cōfederacies  
Mainteyn

Punished

Chaperons

ordinaunces made in suche case afore  
that tyme, been kept and duely execu-  
ted. And more ouer the kynge doth  
strayghtlye forbidde, that from thence-  
forth, no such liury be geuen to anye  
for maintenance of quarels, nor other  
consideracyes, vppon payne of impris-  
onment and greuous forfeiture to the  
king. And that the Iustices of Assises,  
shal diligently enquire, of all them that  
gather together in Fraternities and  
brotherhoddcs, by such liury, to main-  
tayne, and y they which therof shal be  
found giltye, be duely punished, euey  
man accordyng to the quantitie of hys  
deserte.

Those Chaperons, mencioned in  
the Frenche statute, translated in the  
greate englished booke, of the firste  
parte of the Statutes (hattes) seemeth  
rather, by the property of the French  
woorde, whiche is in Latine *hamerale*  
to bee those, whiche they in the tyme of  
kynge Rycharde the secounde, used for  
Cappes, lyke the party coloured hoodes  
of



of the Companies in London, the  
round parte wherof, was put vpon the  
hedd, and the rest lapped about y neck,  
oz lay vppon the shoulders: Or els the  
typpettes oz hoodes, the lyke whereof  
the Scolers in y Uniuersties, of those  
Colledges, whiche were at that tyme  
founded, are by the Statutes of theyre  
house, bound to were, when they go a  
broad, the whiche I thought good here  
to declare, because that w<sup>in</sup> this woord  
may be vnderstood, anye ornament of  
the hedd, as cappe, hatt, oz bonett. Or  
of the shoulder, as hood, partelett, ty-  
pett, oz wyben, geuen by anye of one  
colour, as a lpyery oz token, of suche  
agreemente, as is afore spoken of,  
which is in the frenche called somtyme  
allie, alyaunce, oz collye, which woordes  
are derpyed as I thynke of the latyne,  
ad & ligo, oz con & ligo, to tye oz bynde  
together. And thereto maye the  
woorde (alyaunce) not improperly be  
bled for Englyshe in this signification  
I haue stode the longer vppon the ex-  
position

## Liueries and

20. R. 2. ca. 1

Statute.

Confirmed

Imprisonment.

Fine.

Raunsome.

Intent

position of these woordes, for that the same woordes are used in the Statute at the same kynges Parliament holden the 20. yere of his reygne, in the first Chapter wherof, the kyng willed and ordeyned, that the Statute made the first yere of hys reygne, of liueries of chaperons should be holden & kept, vpon the payne contayned in the same Statute, and vpon payne to bee imprisoned, and to make fine and raunsome to the kyng. This statute is the thyrde statute, in the tytle Liueries of companies and retepours, in the saide Collection of Statutes.

And because in the sayde Statutes, the intent of the giuing of Liueries and Retepning, is specially rehearsed, and therefore thought to bee materiall to bee prooued, before the punishment could be executed: And for that the intent of any, eyther is not tryable, or els very hardly, vntill that it be declared by open deedes, and then the remedye whiche ensueth after, ys seldome

seldome worth the name of a remedy.  
 And though to remedy bee good, yet  
 better it were to foresee, and prevent  
 the hurt. And as kynge Edward the  
 thyrde, had then latelie inuented and  
 erected the honorable order and felow- Order of the  
 shipp of the Garter: So the people be- Garter.  
 yng as it is playnelye written of one,  
*Principum Simia nobiles, nobilium Ciues,*  
*atq; horum Rustici.* The Nobilitie do  
 ymitate the Princes, the Citizens the  
 Nobilitie, and them they of the Coun-  
 trey. And as the Poet Claudinus ad-  
 monisheth Honorius in these verses  
 folowynge.

*Componitur orbis*  
*Regis ad exemplū, neq; sic componere sensus,*  
*Humanos edicta valent, quā vita Regentis.*

The worlde euen so applyed is,  
 As Kynge's example gyue.  
 No Lawe so well mennes myndes can frame  
 as thewe howe Rulers lyue.

So as it seemeth, then dyuers did also  
 make to them selues certeyne felow-  
 shyps, and some tokens therof.

B. iij. There



## Liueries and

Therefore in the iij. Chapter of the Statutes made the xvi. yere of the said kyng Rycharde the seconde, whych ys the seconde Statute, in the sayde tytle of Liueries of compaynes and Reteynours, in the sayde Collection of Statutes, yt is accorded and assented, that no Woman, nor other of lower estate than an Esquier, from thence forwarde shoulde vse or beare anye liuerie, called Liuerie of compaigne of any Lord wythin the Realme, yf he bee not meignall, and familiar, continually dwelling in the house of hys sayde Lord, and that the Iustices of peace haue power to enquire of them whiche do contrarye, and those to punishe accordyng to their discretion.

16.R.2.ca.4

Esquier.

Liuerie

Servant

Iustice of  
peace.

Meignall

This worde (Meignall) hath by some bene misvnderstoode, for in a lyttle booke, whych is intituled, a Collectiō of the substaunce of certeyne necessary Statutes, to be by the Iustices of peace diligently executed within every shire of the Realme, publyshed. Anno 1561.

In

In translating the Statute made in the  
 eyght yere of king Edward the fourth  
 the second Chapter, against Retaynours  
 and geuers of Liueries, this wooorde  
 (menyall) is translated (manuell),  
 whereuppon some haue thought that  
 a man myght retayne as many artify-  
 cers of manuell occupation, to bee hys  
 seruauntes, as he woulde, and geue to  
 them liueries, though hee kepte them  
 not in hys house, and to mayntain that  
 opinion, will saye y that booke was im-  
 printed by y Printers to the Queenes  
 Maiestye, and annexed to a Proclama-  
 tion, & to artycles deuysed by her Ma-  
 iestyes commaundement, by aduise of  
 her Counsell, & therefore to be thought  
 not wythout good consideration of  
 the translatynge euerye wooorde.

And further they saye, vppon an infor-  
 mation vppon these Statutes, a iudge-  
 ment did affirme their opinion, which  
 because they cannot shewe, nor I find,  
 I scant beleue them And the other say-  
 ing, hath greater shew then force: For

B. iij.

the

## Liueries and

the thing it self sheweth, y it was made  
a yere befoze the Proclamacion, and in  
thende of the same Statute, it ys pryn-  
ted, that the Kyng and Queenes Ma-  
iestyes pleasures were, that that and o-  
ther suche Statutes, shoulde bee put in  
execution, whyche woozdes, shewe no  
great consideration of the publysher, if  
yt were made, as it is dated, the thyrde  
yere of the raygne of our Soueraygne  
Ladye that now is, and in no kynges  
tyme. And also it ys not mencioned in  
that Proclamaciō, but is in that booke  
prynted aparte from it. And in an En-  
glysh booke of the lyke tytle, made by-  
pon a Statute made Anno 33 Henrye  
the eyght, Chapter 10 auctorisinge and  
willynge Justyces of peace in petyte  
Sessyons to enquyre bypon certeyne  
Statutes, whiche is in the thyrde Sta-  
tute in the tytle of Execution of Sta-  
tutes, in the said Collectiō of Statutes,  
some of the Statutes touchynge thys  
matter, are trāslated, where this word  
is, as it is here (menyall) And by a note  
made



## Reteynours. Fo. II.

made by Master Rastall, in the Margent, of hys Collectiō of Statutes, and by y<sup>e</sup> derpyuation of the French worde, and the wordes of the sayde Statute of 16. Rycharde .2. he must bee of his houlde and famylpe, continually dwel-lyng in the house of his Lord, that may were any lyuery, by that statut, which is woorde for woorde, in the Parlyament holden 20 yere of king Rycharde the second, Chapter. 2. saue that in place of those woordes, of 16. Rycharde the seconde, the wordes are: yf he be not menyall and famplyar, or continuall Officer of hys Lorde. So that by that Officer Statute, the Officer continual, though hee be not a houlsholde seruaunt, is excepted.

But yet I thynke y<sup>e</sup> Iustices of peace may by the sayde Statute made 16 Rycharde the seconde, punyſhe ſuche officer that is retayned, accordyng to their discrecion, but not the Retaynour.

These Statutes aforesayd notwithstanding, grudge, hatred, and enuye grew,

Iustices of peace.

Punyshe Officer

Retaynour

## Liueries and

1. H. 4. ca. 7

Maintenance

Peace

Lozde

Liuery  
Knight.  
Esquier  
Yoman.

King  
Geue.  
Liuery.

grew, by that the Nobles gaue, and knyghtes dyd vse those Lyueryes of Companyes, and therefore in the Seuenth Chapter of the Statute made the firste yere of Kyng Henry the fourth, for to eschewe mayntenaunce, and to nozyshe loue, peace, and quyetnes of all partyes throughe the Realme. It is ordeyned and stablyshed by the Kyng, and hys Lordes Spirituall and Tempozall, and the Commons in the full Parlyament, that no Lozde, of what estate or condicion so euer he bee, shall vse or geue any lyuerye of signe of company, to any knyght, Esquier, or Yoman wythin the Realme aforesayde. Sauing alwayes, that our soueraigne Lozde the Kyng, shall geue onely hys honorable lyuerye, to hys Lordes tempozall, whome shall please hym. Sauyng also, that our sayde Soueraygne Lozde, shall giue his honorable lyuery to hys knyghts and Esquiers meniall, and also to his knyghtes and Esquiers, whyche be of his Retinue, and do take  
of

of hy  
lyfe.  
sent  
Com  
and  
were  
treys  
siant  
place  
Kyng  
the co  
hee sh  
the k  
or El  
thero  
sayde  
euer  
wear  
none  
priso  
some  
W  
ble a  
tyme  
Knyg

of hym their perelpe fee, for terme of  
lyfe. More ouer it is accorded, and as-  
sented by the Kyng, hys Lordes, and  
Commons aforesayde, that the knyghtes  
and Esquiers, shall not in anye wyse,  
were their sayd lyueries in theyr coun-  
treys or Countreys, where they bee re-  
siant or dwellinge, nor in none other  
place wythin the Realne, out of the  
Kynge's presence. And if any Lord do  
the contrarie, and that duely p'oued,  
hee shall make fyne and raunsome at  
the Kynge's will. And yf anye knyght  
or Esquire do the contrarie, and bee  
therof duely attaynted, he shall lose his  
sayde lyuerie, and forsaite his fee for  
euer. And that no Woman take nor  
weare any liucry of the Kyng, nor of  
none other Lordes, vpon payne of im-  
prisonment, and to make fine & raun-  
some at the Kynge's will.

Provyded alwayes, that the Consta-  
ble and Marshall of Englande for the  
tyme beyng, wyth theire retinue of  
knyghtes and Esquiers, maye weare  
the

Knyghtes

Esquiers.

weare.

Countrey

Lord.

Raunsome

Knyght

Esquyre

Forfait

fee.

Woman

Liucry.

Imprisonment.

Raunsome

Constable

Marshall:



## Liuceries and

**Marches.  
warre**

the sayde liuerye of the king, vpon the Borders and Marches of the Kealne, in tyme of warre.

**Ouer sea**

Wounded also, that all they that wil trauayle and passe ouer into the parties beyonde the Sea, to seeke honoꝝ, maye weare the same liuerye in those parties, wythout beyng therof in any wise greued oꝝ impeched.

**No man**

More ouer it is accorded & assented, that no Archbishop, Bishop, Abbot, noꝝ Priour noꝝ none other man of holpe Church, oꝝ temporall, of what estate oꝝ condicion he be, wythin the sayde Kealne, shall gyue anye liuerye of clothe, to any mā, but onelye, to hys menyall seruauntes and Offycers, oꝝ to them that be of hys Counsell, aswell Spirituall as Temporall, learned in the one Lawe oꝝ the other, vppon payne, to make fyne and raunsome at the kynges will.

**Gyue  
Lyuary.  
Seruauntes.  
Officers  
Counsell**

**Fine.  
Raunsome.**

This Statute is the fyrst, in y sayd Collection of Statutes, in the tytle Liuceries of Companies and Keteynoꝝ.

Vpon the woordes of thys Statute

I may

I may note, that to giue liueryes, wher  
by suche offence and hurt afore menti-  
oned doth ensue, ys of yt selfe verye  
euill, and as wee terme it *malum in se*:  
For other wyse coulde not the kyng be  
comprehended in the first parte of thys  
Statute, as it seemeth he was, by that  
that therein foloweth immediatly, a sa-  
uyng that the kyng may geue, onely <sup>King</sup>  
hys honorable liuerye, to hys Lordes  
temporalles, knyghtes, and Esquyers,  
For if he were not comprehended there-  
in, then the exception or sayng, should  
haue bene, that hys Lordes, knyghtes,  
and Esquyers, myght weare his hono-  
rable liuerye. And also, there is in the  
sayng, this woord (onely) whiche see-  
meth to exclude the kyng, from giuing  
anye other liuery then his honorable li-  
uerye. Some will think thys my note  
bayne, for that the kyng ys bounde by  
no lawe or Statute, although yt bee a  
law agaynst that, which is *malum in se*,  
for that the kyng can do no wrong, nor  
be a wrong doer, and therfore they ga-  
ther

ther, that he cannot bee comprehended  
within anye lawe. And hereupon in  
tyme past, some Princes haue bene per  
swaded, that all thynges are lawfull  
for the, and that their wyll & lyking is

Julia.

a lawe, as it is wrytten, that Julia the  
Stepmother of Caracallus dyd saye.

And the first saying, that the kyng can  
not do wrong, nor be a wrong doer, ys  
a saying, reported in the Reportes of  
the firste ycare of kyng Edward the  
fyft, the last lease, as bearynge greate  
credyte, for that it was spoken in the  
Chauncerye, and agreed to by all the  
Justyces, and Sericantes being there.  
But that was, as in the same booke ap  
peareth, the same daye, that Rycharde  
Plantaginet claymed the Crowne, &  
deposed the sayde kyng Edward the  
fyft his Neeuwe. And the case wher  
upon they there gather that theyz say  
ing for lawe, ys that yf one disseyleth  
an other to the vse of the kyng, and the  
kyng gayneth no possessiō therby, the  
reason whereof ys rather to bee sayde,  
because



because there is no matter of Record  
to entitle the kynge, Or els that the  
lawe will not adiudge a free holde in  
hym, where the free hold should wrong-  
fully be taken from another person, al-  
though the kynge receyue the profits  
of the lande, as it appeareth in the se-  
cond booke of Assyses the nyth case.

And it is no reason to saye, they are  
bound by no Lawe, because by no law  
they be punysshable, themselves gover-  
nyng the execution of the same, but the  
ende of kynge Rycharde the seconde,  
kynge Henrye the fyrte, and Rycharde  
the thyrde, may shewe that there is pu-  
nyshment for the offences of kynges.

Whiche is that, whereof Bracton in the  
ende of the seconde Chapter of hys first  
booke wyrteth, *Satis ei sufficit ad penam  
quod dominum expectet ultorem.*

I haue entred into a large Theme, but  
because I meane not to waste anye la-  
bour, in vndermynnyng the stronge  
Tower, of the Princes absolut power,  
A thing y would neuer haue ben spokē  
agaynst

## Liueries and

agaynst, if there had neuer any Prince  
more bled yt, then our moste gracypous  
soueraygne Lady, of whome it may be  
iustly sayd, *Thronus eius fulcitur clemen-*  
*tia*, and who hath so bled the same, that  
her Maiestye hath fully perfourmed  
that which *Bracton* in the sayd Chapter  
sayth, *Rex debet esse maximus in Regno*  
*suo in exhibitione Iuris, minimus autem*  
*esse debet in iudicio suscipiendo.* For the  
whole bodye of our Lawe bookes, doe  
not make mencion, that the Cases tou-  
chyng the Princes, haue been so often  
referred to the determinacion & iudge-  
ment of lawe: as it hath pleased her  
Maiestie, since the begimtyng of her  
moste quiet gouernement, to submytt  
to open Demurrer: wherein the Sub-  
iectes Counsell, hath been as freely  
heard, as her Maiestyes. And therfore  
I meanyng onely to searche the mea-  
nyng of the sayde Statute, do thynke  
eypther, that kynge Henry the fourth  
consideryng that whiche *Bracton* in the  
sayd Chapter uttereth in these woordes.

Rex

Rex non debet esse sub homine, sed sub Deo  
 & Lege, quia Lex facit Regem, attribuat  
 igitur Rex legi quod Lex attribuit ei, vidz  
 dominationem & potestatem, non est enim  
 Rex ubi dominatur voluntas & non Lex,  
 dyd rather submitt him self to the law  
 as Traian the Emperoz did: and there  
 fore maye that bee applyed vnto hym,  
 that Plinius secundus wyrteth to Traian,  
 Ingens gloria tua Caesar ipse te legibus sub-  
 iecisti, quas nemo principi scripsit, sed tu tibi  
 nihil amplius vis licere quam nobis, sic fit  
 vt nos plus tibi velimus, or els that hee  
 expounded this aunswere of Alpien,  
 Princeps legibus solutus, as some Ciuitas  
 haue witten, whose woordes here do  
 folow, Nulla ratione Princeps existimet, se  
 natura, iusticia, honestatisq; legibus solutu,  
 sed hisce perinde atq; priuatos teneri: tum et-  
 si legibus, quaru transgressio, nec pietatem,  
 nec iustitiam, nec honestatem ledit non as-  
 tringatur. Cuiusmodi sunt leges solennium  
 & formularum, quibus solutus dici poterit  
 princeps. The which difference the lawe  
 of the Realme doth also confirme, vt  
 C. j. the



the cases thereof were herewithall considered, which I omitt here to expresse. And because he dyd deeme, that giuing of liueries, whereby the hurtles aforesayd grew, was an offence to Nature, Justyce, and Honesty: Hee therefore acknowledged him selfe subiecte to the lawe, which did prohibite the same. At whole example, I praye God, that others then Princes, that count them selues free from punishment, do not perswade them selues to be free from obeying the lawe, nor to thinke they satisfie the law, when after long suit, they beyng conuicted, and will they or nill they, do abyde the punishment, as though the ende of the lawe, were onely to puny the the Subiect, and to enryche the Trescher by the penaltie, but that they, rather consideryng, that the lawe, first shewyng to good Subiectes, what is good and what euill, doth adde the penaltie and forfeyture, for to feare the euill mynded persons from offendyng, maye in deede bee as they

they woulde seeme to bee, good, and  
haue in mynde these Verses of the  
poet.

*Oderunt peccare boni, virtutis amore:*

*Oderunt peccare mali, formidine pana.*

The good hate to offende, for that  
to Vertue lone they beare.

The yll hate to offende, for that  
of payne they lyue in feare.

In the Parlyament holden the se-  
conde yere of the same kyng, in the xxi.  
Chapter, the Statute (last befoze no-  
ted) is worde by woord rehearsed, and  
the sayde kyng considering the same  
estatute to bee very expedient and ne-  
cessary, ordayned and establyshed, that  
the same Statute shoulde bee firmlye  
holden and kepte: adioynnyng thereto,  
that the Iustices of the one Benche &  
of the other, and the Iustices of the M-  
sises, and of the peace, haue power and  
auctoritie to enquire, heare, and deter-  
myne in those cases, by recoorde in their  
presence, or by enquiry to be made fro

2. h. 4. 27

Statute  
Confirmed

Iustices of  
bench  
Assises  
Peace

C. y. tynie

## Liueries and

**Nobilitie  
weare**

**Knyghtes  
Esquiers.**

**Countrey.**

**Prynce**

**Gentlemen**

tynte to tyme, and that the Dukes,  
Carles, Barons, and Baronettes of  
the Kealme, may weare the sayd liuery  
in their Countrey and els where.

And also that the sayde Knyghtes and  
Esquiers, may weare the sayde liuery,  
in goyng from the Kynghes house, and  
retournynge to the same. Prouyded  
alwayes that the same Knyghtes and  
Esquiers weare not the same liuerye  
in their Countyes or Countrey, where  
they be resident or dwelling, vppon the  
peyne conteyned in the sayd statute.  
Moreouer it is accorded, that y<sup>e</sup> Prince  
may giue his honorable liuery of signe  
to the sayde Lordes, and to his meniall  
Gentlemen, and that the sayde Lordes  
may weare the same, as they weare the  
Kynghes liuerye, and that the menialls  
of the Prince, may also weare the same,  
as the Kinges menialles, and in the  
forme, and vppon the paynes afoze-  
sayd. This is in the said Collectio of  
Statutes, the first Statute, in the tytle  
Liueries of Companies & Reteyners.



In the leuenth yere of the same king  
in y<sup>r</sup> viii. Chapter, yt is rehearsed, that  
whereas: It is ordeyned by the Statut  
made the firste yere of the raygne of  
our Soueraygne Lorde the Kinge that  
nowe is, that no Archebysshop, Abbot,  
nor Priour, nor none other man of the  
Churche, nor Temporall person, of  
what estate or condicion that he bee,  
wythin the Realme of Englande, giue  
any liueries of clothe to any, but onely  
to his menialles and officers, & to those  
that be of their Counsell, as well Spi-  
rituall as Temporall, learned of thone  
lawe or the other, vpon payne to make  
fyne and raunsome at the Kinges will.  
It is ordeined and establisshed, that as  
well that Statute, as the Statute of  
Liuerie of Chaperons, made in y<sup>r</sup> tyme  
of kyng Rycharde the seconde, be hol-  
den, and firmly kept, and putt in due  
execucion, adioynnyng to the same: that  
if anye knyght, or any other person of  
lesse estate, do giue any such liuerie of  
cloth or of chaperons, against y<sup>r</sup> forme  
C.iiij. of

7. H. 4. ca. 14.

No man.

Giue  
Liuerie.  
Seruauntes.  
Officers  
Counsell

Statutes.  
Confirmed

Knight  
Gyue.  
Liuerie.

## Liueries and

**Fozf. 5. li**

**Receiuer  
Liuerie**

**Fozf. 40. s.**

**Inforimour  
Hall**

**Pardon**

**Company  
Liuery**

**Own cost**

**Fozf. 40. s.**

**Misteries  
Cities  
Burghes.**

of the sayde Statutes, that he shall incurre the payn of an Hundred shillings for euery suche liuerye of clothe, or of chaperons, to be payde to the kyng, as often as he shall do contrarve to thys statute or ordynance, and that he which receyueth any such liuerye of clothe, or of chaperons, shall lykewise incurre the payne of fortye shyllinges, to bee payde to the kyng, as afore is sayd, and he that will sue in this case, shall haue the one halfe of suche paynes for his labour, and that the same paynes bee in no wise pardoned. Moreover yt is ordeyned, that no congregations nor companyes, be made of such liuery of cloth, nor of chaperons, at the proper costes of the congregation or companye, vppon payne of euerye man of y same congregation or companye that dothe contrarve to thys ordynaunce or Statute, to paye to the kyng xl. shillinges. The Gyldees and Fraternities, and also the people of misteries of Cityes, and Burroughes wythin the Kealme, that

tha  
into  
Ju  
hau  
tym  
af  
the  
way  
shall  
Esq  
war  
or of  
as be  
tyme  
anye  
behal  
tute.  
Liu  
in the  
seuen  
The  
are, th  
and ce  
do not  
the Ju  
11103

that be founded and ordeined to a good  
intent or purpose, onely except, and the  
Justices assigned to take assises, shall  
haue power to enquire from tyme to  
tyme in theyr Sessions, of the matters  
aforesayde, and the same to certifye in  
the Kynges Benche. Prouyded al-  
wayes; that in the tyme of warre, yt  
shalbe lawfull to Lordes, knyghtes, &  
Esquyers whiche trauaile in suche  
warre, to giue their liuery of clothyng,  
or of chapparous, suche & in such wyse,  
as best to them shalbee seeme, for the  
tyme of suche warre, wythout beyng  
anye wyse bered or inquyeted in thys  
behalfe, by force or vertue of this Sta-  
tute. This Statute is in the tytle of  
Liueries of companies and Retainers,  
in the sayde Collection of Statutes the  
seuenth Statute.

These woorde of this Statut, whiche  
are, that Justices of Assise shall inquire  
and certifye into the Kynges Benche,  
do not take alwaye the auctorite that  
the Justices haue, to heare and deter-

Just of B.  
Enquire

Certify  
Kings bench.  
warre

C.iiij.

myne



1. R. 2. ca. 7.

mine those offences by the sayde Statutes made the fyrste yere of kynge Rycharde the second, the seuenth chapter. And the seconde yere of the same king the xxi. chapter, where they think good or otherwyle to certisye them for the penaltie to be recovered to the kynge, whiche they by thys Statute had no auctoritie to holde plee of. And although that thys Statute in forbidding Congregacions, is lyke to the sayd Statute made in the fyrste yere of kynge Rycharde the seconde, & the seconde Chapter. Yet is there betwene them amongest other this difference, there the entent is materiall, and in this Statute not &c. This doe I to geue the Reader occasion to conferre these seuerall statutes togeether, and to fynd the differences thereof, whiche wilbee apparant vnto the conferrer of them.

13. R. 4. c. 3.

In the Parlyament holden the thyrtynth yere of the same kynge the thyrde Chapter, is rehearsed the laste noted Statute, worde by worde, and the kinge  
confi

considerynge the sayd ordinaunce and Statute to bee greatly profitable, for the ease and quyetnes of hym, and of al his Realme, by the aduyse of the Lordes Spirituall and Temporall, and at the speciall request of the Commons, willed and graunted, that the sayde Statutes bee holden and kepte, and putt in due execution, according to the fourm and effecte of them, that is the eyght Statute, in the tytle Liueries of companyes and Ketaynours in the Collection of Statutes.

Confirmed

Execution

In the fourth Chapter of the Statutes made in the eyght yere of kynge Henry the syxt, whyche is in the sayde Collection of Statutes, in the tytle of Liueries of Companyes and Ketaynours, the myntye Statute, ys contayned as foloweth: Where as it is ordeyned, by dyuers Statutes, made in the tymes of the kynges noble progenitours, that no knyght, nor none other of lesse estate, shoulde giue anye liuery of clothes, or chaperons, to other

8. H. 6. ca. 4.

Giue.  
Liuey.

then

## Liueries and

Justices of  
Assise  
of peace.

Hear and de-  
termine

Not kept

Maintenāce.

then to his menialles, and his officers,  
and men learned in thone lawe or the  
other, vppon the payne of an hundred  
shyllinges, to be leuyed of the gyuer,  
and xl. shyllinges of the taker, so often  
as they do the contrarve, and hee that  
woulde sue, shall haue the one halfe of  
the payne, after that they thereof bee  
duelye conuicte. And that the Justices  
of Assises, and Justices of peace in eue-  
ry Countye of Englande, should haue  
power, from tyme to tyme in theyre  
Sessions, to enqurye of the sayde mat-  
ters, and them to here and determine.  
Whiche Statutes and Ordinaunces  
haue not bene duely kept, because that  
they that do contrarve to the sayde sta-  
tutes and ordinaunces, befoze the sayd  
Justices, may not be indyted for great  
maintenaunce in that behalfe. Our  
Soueraygne Lorde the Kyng, wyl-  
lynge to expell suche maintenaunce,  
hath ordeyned, by the authority afoze-  
sayde, that the Justices, shall haue  
power by authoritie of this Parlyam-  
ment,



ment, as well at the kynges suite, as  
the parties, to alwarde writtes of At-  
tachement and distresse, agaynst all  
them, whiche from henceforth doe the  
contrarye of the saide Statutes, in the  
Countyes, where they holde their  
Sessions, dyrected to the Shyrriffes of  
the same Counties, returnable before  
the Justyces for the tyme beinge in  
their Sessions. And if the said Shy-  
riffes retourne that they agaynst who  
suche wyttres issued, haue nothyng:  
then a Capias, and Exigent shalbe a-  
warded agaynst them, in the maner as  
shalbee done, agaynst them that bee  
indytred, before Justyces of peace, of  
trespasses done wyth force and armes  
agaynst the kynges peace: And if they  
appeare at anye of the sayde wyttres,  
the sayde Justyces shall haue power,  
by authoritie aforesayde, to examyne  
them of the matters aforesayde. And  
they whome they fynd by examynaciō,  
that haue done the contrarye of h sayde  
Statutes & Dynaunces, shal incurre  
the

Process  
Attachement  
Distresse

Shyrriffes  
Retourne.

Capias  
Exigent

Trespas

Examine

## Liueries and

**Fol.**

**Chester  
Lancaster.**

**Statutes.  
Confirmed.**

**Examination  
Waire.  
Shiriffes**

the peyne compysed in the sayde Statutes, that is to saye, the Beeuer an hundred shyllynges, and the taker xl. shyllynges, as often as they doe the contrarye, in maner and fourme, as they ought, if they were by inquest duly before the sayde Justyces conuicted. Wherby, that the sayde ordinances, extend aswell in the Counties of Chester, and Lancaster, for the examynacion and Processe, as is aforesayde, of the Justyces of Chester, or hys Lieutenant there, as for examynacion of the Justyces of the Countye of Lancaster, so to be made, agaynst al them, whyche shall doe the contrarye of the sayde Ordynaunces in tyme to come. Wherby also, that all the Statutes & Ordynaunces before made and not repealed, of liueries of clothes, by Lords giuen or to bee giuen, agaynst y<sup>e</sup> forme of the same Statutes, shall stande in their force. And that thys Statute extendeth not, as to the execucion of examynacion, to the Waire and Shiriffes of

of London, for the tyme that they shal bee officers, Seriauntes of the lawe, at the tyme that they take the same estate vppon them, and them that doe commence in the Uniuersities, within the Realme of England, at the tyme of theyre commencement, nor to them, whiche for the tyme aforesayde, shall take anye suche liueries of them.

London  
Seruants.

Uniuersities

And also, that all those that shall take anye suche liueries of clothes, or chaperons, of anye Lorde Spirituall or Temporall, or of any great Ladye, or in England, agaynst the fourme of the sayde Statutes, they shalbee lyke- wyle examyned and punyshed, in the manner as they that take suche liueries of knyghtes, or other of lesse estate as before.

Takers.  
Liuries.  
Lordes.  
Ladys

Examined.  
Punished.

Provyded alwayes, that in the time of warre, it shalbe lawfull to the Lords knyghtes and Esquiers, that doe tra- uayle in suche warre, to giue theyre lyueries or clothinge, of Chaperons, to theyr Souldoyours, and in such wise

warre  
knyghtes  
Esquiers.

Souldoyours

as



## Liueries and

**Souldiours** as to them best shall seeme . And that  
 it shalbe lawfull, to suche Souldiours,  
 to take and weare , suche liueries of  
 clothing or of chaperons, for the tyme  
 of suche warre, wythout beyng in anye  
 wyse molested in this partye, by force  
 or vertue of the same Statutes . And  
 that moreouer, if any person, of what  
 estate or condicion he bee, after the said  
 feast of Christmas, of hys owne auc-  
 thoritye and proper costes, do buy, or  
 weare for his clothyng, any clothes or  
 chaperons, called Liueries of the sorte  
 or suite, of any Lorde, Ladye, knyght,  
 Esquier , or other person , for to haue  
 supportacion, succor, or mayntenance  
 in any quarell, or in any other maner,  
 if he be therof duely conuyct by exami-  
 nation, or otherwise, before by the sta-  
 tutes declared, he shall incurre y peyne  
 before limytted of them that take liue-  
 ries of Lordes, or other persons afore-  
 sayd. And more ouer shal haue a whole  
 yeres imprisonment, wythout beyng  
 lett to baile or maynprie, for theyre  
 false

Dwn colt  
 Bupe  
 weare  
 Liuerie  
 Dupte.

Succour

For.

Imprisoned  
 Bayle  
 Maynprie

false and Subtyll imaginacion in that parte.

**I**n the Parlyament holden the 8.E.4.c.1.  
 eyght yere of King Edward the fourth  
 in the seconde Chapter thereof, whych  
 is the tenth Statute, in the tytle of Ly-  
 ueries of Companies and Reteynours,  
 in the sayde Collection of Statutes, is  
 conteyned as foloweth. The kynge  
 remembryng, that where in tymes  
 past, dyuerse Statutes haue ben made,  
 for the punysshment of suche persons,  
 whych gyue or receyue Liuries, with  
 dyuers peynes and forseyntures com-  
 prised therein. And that yet dyuers per-  
 sons in great number, hauig no drede  
 of the sayde peynes and forseyntures,  
 do dayly offend agaynst the fourme of  
 the same. By thaduyse and assent of  
 the Lordes Spirituall and Tempo-  
 rall, and the Comons of this Kealme,  
 being in the sayde Parlyament, and  
 by authorite of the same, hath ordey-  
 ned and establyshed, that all Statutes  
 and ordinaunces made befoze thys  
 tyme

Statutes.

Statutes.

## Liueries and

Confirmed

Roman.

Synel  
liery  
Retayne  
Seruaunt  
officer  
counsell

of. 5. ll.

of. 5. ll.  
oneth

tyne, agaynst any persons, for giuing  
or recepyng of Liueries and signes,  
shalbee fullye obserued and kepte  
And more ouer, that no persō, of what  
estate, degree or condicion that he bee,  
by hym selfe, or any other for hym, fro  
the feast of the Natyuitie of Saynte  
John Baptist, whiche shalbe in y<sup>e</sup> yere  
of our Lorde God 1468 giue any such  
liery or signe, or reteyne anye person  
other then hys mentall seruaunt, offi-  
cer, or man learned in the one lawe or  
the other, by anye wyptyng, Othe, or  
promyse, and if any do the contrarye,  
that then he shall incurre the peine and  
forfeiture, for euerye suche lierye or  
signe giuen, an hundred shyllinges,  
and the reteynor or taker of such Othe  
wyptyng or promyse, or reteynor by  
Indenture, for euerye such reteynyng  
or takyng of any such Othe, or pmyse,  
or reteynyng by Indenture, shall in-  
curre the peyne and forfeiture of an  
hundred shillinges, for euery Moneth,  
that anye suche person is so reteyned  
with



with hym, by Othe, wrytyng, Indenture, or promise. And also, that euery person so receyned, by wrytyng, Indenture, Othe, or promyse, for euerye suehe Moneth that he ys so receyned, Moneth shall lose and forsaite an hundred shyl. Forf. 5. li. lynes.

And mozeouer, the Kyng, by the ad-  
 nyle and authoritie aforesayde, hath  
 ordeyned and establyshed, that as well  
 before the kyng in hys Benche, as be- Kings bench.  
 fore the Iustices of the comon place, Comon place  
 Iustices of peace in their common Justice of  
 Sessions, Iustices of Oyer and termi- peace  
 ner, and to deliuer the Gayle, Oyer & ter-  
 The miner.  
 Kynges Iustices in hys Countyes Pa- galle deliuey  
 lantyne of Lancaster and Chester, for County  
 the tyme beyng, in euery of the kinges palantyne  
 Courtes aforesaide, before them or any  
 of them. And in the regallie and court  
 of the Archebyschopp of Yorke in Her- Yorke shire.  
 amshyre, before the Iustices there.  
 And in the Courte of the Byschoppe of  
 Ducham, in the Countye Palantyne Ducham  
 of Durham, before hys Iustices there,

D. i. Euery

## Liveries and

Euery person that will sue or cōplayn, agaynst any person or persons, offendyng or doyng agaynst the fourme of thys ordinaunce, or anye other of the premisses, shalbee admitted, by the discrecion of the Judges in euery of the sayde Courtes, to giue informacion, for the Kyng therein, of any of y<sup>e</sup> premisses, within the iurisdiction of euery of the sayde Courtes, done or committed. And euerye suche informer yf hee will, shalbee admitted to sue for the Kyng and hym selfe, actions or action, vppon the same, by informacion to bee geueu or made, in anye of the sayde Courtes, agaynst as manye suche offenders, in one bill or informacion to be named, as lyketh hym whych so informeth. And this informacion so geueu, shall stande and bee, in steede of a Bill or originall writt. And that ther-vpon, all suche Proses shalbe hadde & made, as is hadde and made, vppon an originall writte of trespas don agaynst the Kynges peace. And if anye of the  
offen-

Discrecion.

Informacion  
King.

King  
Partye  
Writtes

Proces

Trespas

offendours bee present in anye of the **Present**  
 sayde Courtes, he by the commaunde-  
 ment of any of the Judges in the same  
 Courtes, shalbee brought in, and putt  
 to aunswere, to suche bill, or bylles by **Answer**  
 suche informacion, by an **Othe** first to **Othe**  
 be made vppon a booke, by the Infor- **Informers**  
 mer, before anye of the sayde Judges,  
 that hys playnt is ryghtfull, wythout  
 any other or further processe therein.  
 And that the same Judges and euerye  
 of them, in euery of the sayde Courtes,  
 shall haue power in their seuerall iu-  
 risdiction, to examyne all persons de- **Examine**  
 fendauntes, and euery of them, vppon  
 euery suche Informacion, and to iudge **Judgement**  
 hym or them conuicte or attaynted, as  
 well by suche examination, as by tryal  
 as the case requyreth, after the discre-  
 tion of the Judges. And also shalbee  
 charged by the Judgement in the same  
 to the person complaynant or informer **Informer.**  
 in this behalfe, of all the costes hadd in **Costes**  
 the same, by the discretion of the Jud-  
 ges, and Judge in the same. And also  
 D.ii. the



## Liuries and

the same partye complaynant, to haue  
the one halfe of the sayde forskaptures,  
and the Kyng the other halfe. And all  
suche execution to be had for the Infor-  
mer in this behalfe, as is had or ought  
to be had in recoueries of dett or tres-  
pas, at his pleasure. And that no pro-  
tection nor esoyne bee allowed vppon  
anye suche informacion. And that no  
Shirife nor Coroner, retourne vppon  
any defendaunt beyng a person suffici-  
ent, in any suite grounded vppon any  
of the premiffes, returned sufficient, a-  
nye lesse issues, then twenty shillynges  
at the first daye of the distresse, and at y  
seconde day thyrty shillynges, and at  
the thyrde day forty shillynges, and so  
at euerye day after more by tenne shil-  
lynges in issues, and if any Shyriffe or  
Coroner do the contrarpe, that then he  
shall forseyt for euerye suche retourne  
agaynst the fourme aforesayde twenty  
shyllinges. And also by thaduyse assent  
and authoritpe aforesayde, it is orday-  
ned, that in euerye Citie, Burghe,  
towne

Halfe.

Execution

Dett  
Trespas

Protection.  
Essoigne  
Shiriffe  
Retourne

Issues.

Forf. 20. s.

Citie.  
Corporacion.



## Liueries and

**Maire &c.  
other di.**

**townes Use**

**Retepnour.**

**Servant  
Officer  
Counsell**

**King  
Dint fozf.**

**Corporaciōs.**

chiefe officer of suche Citie, Burgh, Towne or Port, to haue the other half equally to bee deuyded betwixte them: Wherof the parte pertaynyng to the Maire, Shiryffes, Shiryfe, Baylyfe, or Baylyffes, or chiefe officer shalbee applyed to the vse of such Citie, Towne, Burgh or Port. And that all Retepnours, and euery retepnyng by Indenture, or other wytyng, Othe, or promyse of anye persone, made before the sayde feast, other then to bee meniall Seruaunts, or Officer, or of his counsell, or for lawfull scruyce done, or to be done, shalbee from the sayde feast vtterly voyde, and of no force nor effect. And it is ordeyned and establyshed, by thaduyse, assent and auctorite aforesayde, that our Soueraygne Lorde the Kyng, shall haue the one halfe of all the sayde peynes and forsaitures, in maner and fourme before ordeyned, except in Cities, Burghs, townes and dyuers other places, where any person or persons, haue by reason of their priuiledges



niledges, liberties, fraunchesies, or  
 grauntes, lyke forseyntures and peines.  
 And that euery such person or persons,  
 shall haue the halfe of the sayde forsay-  
 ture, and peynes made by this acte, ac-  
 cordinge to their priuileges, liberties,  
 franchises, and grauntes, as the kyng  
 shoulde haue, if the sayde priuiledges,  
 libertyes, fraunchises, and grauntes  
 had not bene had, graunted, nor made.  
 Wherby alwayes, that this acte, ex-  
 tende not, nor bee prejudiciall, to anye  
 giste, graunt or confirmation made or  
 to be made, of any fee, annuities, pen-  
 sion, rent, landes or tenements, by the  
 kyng or any other person or persons,  
 for their counsell giuen, or to bee giuen  
 and theire lawfull seruyce done or to  
 be done, and for none other cause vn-  
 lawfull, nor other intent vnlawfull,  
 although that the person or persons, to  
 whome suche gyste, graunt or confir-  
 macion is, or shalbe made, be not lear-  
 ned in the one lawe or in the other.  
 And also it is ordeyned, by thaduyse,

Franchises

Graunt  
Annuities

Counsell &  
Service

Learned in  
law.

D. iij.

assent

Exigend

County palantyne

Durham

Outlary

Woyde

Errour.

assent and auctorite aforesayde, that  
 euerye suche gift, graunt or confirma-  
 tion, shalbe of lyke force & effecte, and  
 as good effectuell & auaylable, as they  
 and euerye of them were, if thys acte  
 had not beene made. And by the same  
 authoritie it is ordeyned, that no eri-  
 gend shalbee awarded, by anye of the  
 Justyces for the tyme beeing, wythin  
 the sayde Countyes Palantyne of La-  
 caster and Chester, or eyther of them,  
 or in the sayde Bishopryche of Durha,  
 agaynst any person or persons, vppon  
 any information, suite or proceste to  
 bee made, by force of thys ordinaunce  
 and Statute. And if any exigend bee  
 awarded or an outlagary ther vpon p-  
 nounced, in anye information suite or  
 proceste to bee made, by vertue of thys  
 ordinaunce, as befoze is sayd, that then  
 suche outlagarye, shalbe vtterly boide  
 and of no force nor effect wythout any  
 suite by writte of Errour or other wyse.  
 Prouyded also, that thys ordynaunce  
 do not extende, to any liuery, giuen or  
 to

to be giuen, at the Kynges or Quenes  
Coronation, or at the Stallation of an  
Archebysshop or Bysshop, or erection,  
creation or maryage of anye Lorde or  
Ladye of estate, or at the creation of  
knyghtes of the Bathe, or at the com-  
mencement of any Clerke in any vni-  
uersitie, or at the creation of Seriantes  
of the Lawe, or to bee giuen by anye  
Gyld, fraternitie or misterie corpo-  
rate, or by the Mayre and Shiryffes of  
the Citie of Lodon, or any other Maire  
Shiryffe or other chiefe officer, of anye  
Citie, Burgh, Town or Port of this  
Realme of Englande for the tyme be-  
ing, durynge that tyme, and for execu-  
tyng theyr offyce or occupation, nor to  
any signes or liueryes to bee giuen in  
defence of the kyng and of thys hys  
Realme of Englande, nor to the Con-  
stable and Marshall, nor to any of the,  
for giuyng anye signe, liuery, or token  
for any feates of Armes to bee done w-  
in thys Realme, nor to any Wardens  
of the Marches, toward Scotlande, for  
any

Coronation.  
Stallation.  
Bishop  
Lorde.  
Creation of  
Knights of  
the Bathe  
Commencement  
Vniuersitie.  
Seriantes at  
Law.  
Corporation.  
London  
Maire  
Officer.

Defence  
Constable  
Marshall.  
Feates of  
armes.  
wardens of  
Marches.



## Liueries and

any liuery, signe or token, for them to bee giuen, from Trent Northward, at suche tyme onelye as shalbe necessary to leuie people for defence of the sayde Marches or any of them.

3. H. 7. c. 1.

Maintenāce.  
Liueries.  
Retayners

Embrazery.  
Shiriffes  
Retourne

Jurores  
Wyottes.

**I**n the Parlyament holden the thyrde yere of Henry the seventh in the firste Chapter thereof, whyche is in the sayde Collection of Statutes, the firste Statute, in the tytle Execution of Statutes. The Kyng remembryng howe by vnlawfull mayntenaunces, giuing of Liueries, signes and tokens, and retaynours, by Indentures, promyses, Othes, wrytinges, or otherwyle, embrazeryes of hys Subiectes, vntreue demaunges of Shyriffes in making of Panelles, and other vntreue retourns, by takyng of money by iuries, by great Wyottes, and vnlawfull assēblyes, the pollicye and good rule of this Kealme is almoste subdued, and for the none punysshing of these inconueniencēs, & by occasion of the premisses, lytle or nothyng may be founde by inquierye, whereby

Inhereby the Lawes of the lande in execution may take lytle effect, to the encrease of murders, robberyes, periu-  
ryes, and vnſuerties of all men liuing and losses of their landes and goodes, to the greate displeasure of almyghtye God. Therefore it is ordeyned, for reformation of the premisses, by auctorite of the sayde Parlyament, that the Chauncellour, and Treasurer of Englande for the tyme being, and keeper of the Kynges priuie Seale, or two of them, calling to them a Bysshop, and a Temporall Lorde of the Kynges moste honorable counsell, and the two chiefe Justices, of the Kynges Benche, and Common place, for the tyme beyng, or other twoe Justices, in their absence, vpon Bill or informacion, putt to the sayde Chauncellour, for the Kyng or any other, against any person, for any misbehaupnge afore rehearsed, haue auctorite to call before them, by writt or by priuie Seale, the sayd misdoers. And they and any others by theyr dyscretion,

Murder  
Robbery  
Periurie

Chauncellour.  
Treasorer

Prinie Seal.

Bishop.

Lord.

Chief Justices.

ii. Justices

Bill  
Informacion

proces

## Liueries and

**Examine  
Punish**

cretion, by whome the truthe maye bee knowen, to examine, and suche as they finde therein defectyue, to punish them after their demerites, after the fourme and effect of Statutes thereof made, in lyke maner and fourme, as they should and ought to be punished, yf they were thereof conuicte, after the due order of the lawe.

3. H. 7. c. 12.

**Steward  
Auditours  
Receiours  
Surueyours  
Bailiffes  
Constables  
Keepers  
Castelles  
wardens  
Masters of  
game.  
Keepers  
Forestes  
Parkes  
Warrens**

And in the twelfth Chapter of the same Parlyament, whych is in y<sup>e</sup> sayde Collection of Statutes, in the tytle of Officers, the nyth Statute, the kyng remembryng, howe by the negligence and vnlawfull demeanynges, of Stewarves, Audytours, Receyours, Surueyours, & Baylyffes, of his honours, lordshippes, manoures, landes and tenementes, Constables, and keepers of Castelles, Wardens, Masters of game and keepers of hys Forestes, Chales, Parkes and Warrens, wythin thys his Kealme, greate suertie hath growe afore thys tyme, as well to hys hyghnesse, as to hys progenitours, and how

his



his tenauntes and inhabitauntes of his Tenants  
 sayde honours, Lordshyps, manours,  
 and tenementes, daile bee greatlye  
 troubled, as well by the vnlawfull re-  
 teyners and retinues made, as well by  
 the sayde offycers, sufferynge the same  
 tenauntes and inhabitauntes, to bee  
 vnlawfully reiteyned wyth other per-  
 sons, and howe by this vnlawfull re-  
 teyning, they haue beene called to vn-  
 lawfull assembles, & ryottes, to theyr  
 ofte great ieopardies & charges, wher-  
 by they been so pouertised, that they  
 be not of power, to paye to hym theyre  
 dutyes, and hys Subiectes nere to their  
 dwellyng, bee vered and troubled, and  
 greatly hurte, by dyuers charges and  
 vnlawfull impositions. And ouer this  
 his hyghnesse remembreth, howe hys  
 woodes, his verte, and Glenison, by the  
 Wardens, Masters of the Game, par-  
 kers, keepers, and other Officers of  
 hys sayde Forrestes, Chases, Parkes,  
 and Warrens, throughout this realm,  
 ys almoste destroyed, and that dyuers  
 and

Reiteynours.

Assembles  
 Ryottes

woodes  
 Vert.  
 Glenison

Destroyed.

## Liueries and

**Officers**

**Rebellion  
Absented**

**Officer.**

**Retayned**

and many persons, to whome hee hath graunted suche offices, in hys greate troubles, had agaynst hys traytours & Rebelles, haue absented them from his Grace, contrary to the duetye of theyr allegiance, agaynst all truth and kindnesse. Wherefore the Kyng our Soueraygne Lorde will, that by thaduise of the Lordes Spirituall and Temporall, and the Comons in the sayd Parlyament assembled, and by authoritie of the same: it bee ordeyned and enacted, that if any Stewarde, Audytour, Receyuour, or Baylyffe, that now ys, or hereafter shalbe, of any of the sayd honours, lordshippes, manours, lands and tenementes, Constable, or keeper of any of hys sayde Castelles, Wardyn, master of Game, Parker, keeper, or any other offycer, of any of his sayd Forrestes, Chaces, Parkes, or Warrens, that nowe is, or hereafter shalbe, be vnlawfully reteyned, wyth any person, from henceforth, or reteyne anye man, dwelling wythin any of the said honours,

# Reteynours. Fo.30

honours, lordshippes, manours, lands  
and tenementes, contrarie to any or-  
dinaunce or act afoze thys tyme made,  
or suffer any man, dwellynge wythin  
the sayd honours, lordships, manours,  
landes, and tenementes, to be unlaw-  
fully reteyned, wyth any other man or  
person, what degree or condition so euer  
he bee of, and shewe it not to the king **Show**  
wythin xl. dayes nexte after hee hath **40. dayes.**  
knowledge therof, and holwe and with  
whome he is so reteyned: Or anye of  
the sayde Officers, conuey anye of the **Conuey**  
sayde tenauntes, inhabitauntes, ser-  
mours to the kyng, to any felde or as-  
semblie, or route, otherwyle then by **Assembly**  
the kynges commaundement, to do him  
suche seruyce as he shalbee commaun- **kynges**  
ded, and that alwayes in the kynges **Liuey**  
liuerie or signe, wyth a cognysaunce **Conisance.**  
of hym that so conuey them, by y kynges  
commaundement: Or if such Offi-  
cer come not vnto the kynges hygh- **Come not.**  
nesse in tyme of trouble of warre, whe **warre.**  
he therto shalbee commaunded, hauing



## Liueries and

**Grauntes**

**Waide**

**Fermour  
Tenaunt.**

**Reteyned  
Liuey**

**Co.**

**Liuey**

**Serue**

**Grauntes.  
Leases.**

**Worde**

no reasonable excuse to the contrarpe,  
that all grauntes then made oꝝ hadd to  
hym, of any of the sayde offices, by the  
kyng, oꝝ by anye of the kynges proge-  
nitours, oꝝ predeceffours, bee then vt-  
terly voyde, and of none effect. And  
it is ordeyned by the same authority,  
that if any Fermour oꝝ tenaunt, with-  
in any of the sayde honours, lordships,  
manours, landes and tenementes, bee  
reteyned, with any person oꝝ persons,  
contrarpe to the Statutes, by liuey,  
sygne, token oꝝ Othe, indenture oꝝ pro-  
mise, oꝝ to go to any fielde, gatherynge  
oꝝ assemblie in any mans liuey, signe  
oꝝ token, but only in the kynges liue-  
rye and signe, and to serue him onely,  
oꝝ where he shalbee commaunded by  
the kyng: that all grauntes and leases  
to him made for terme of yeares, oꝝ at  
will, of the landes, tenementes, rents,  
oꝝ other possessions, beeyng parcell of  
any of the sayde honours, lordshippes,  
manours, landes, and tenementes, bee  
than vtterly voyde and of none effect.  
And

And as the sayde Statute of 3. H. 7 rehearseth, that by giuyng of liueryes, and retaynyng, sedicions haue beene maintayned, so also the same hath ben sometymes taken, as a greate euident token, of treason to bee conceyued, in the harte and mynde of the geouer of those liueryes: as it appeareth by the report of the Arraynement of Edward whyche was Duke of Buckyngham, in Easter Terme, the thyrteenth yere of Kyng Henry the eyght, where the firste and one of the greatest matters that were layde agaynst hym, to proue that he entended Treason, was, that, whereas a Monke tolde hym, that hee shoulde be kyng, and therefore willed hym to obtayn the good will of y<sup>e</sup> Commonaltie, he thereupon gaue certayne liueryes, whych although hee denyed, yet was he found guiltie by his Peares, and beyng arraygned the laste daye of that Easter Terme had iudgement as a Traytour, and was beheaded the Fryday next after, as by the booke appeareth.

C. i. Thus

## Liueries and

Thus note you, how this matter of liueries, which at first was vnder colour of mutual alliance & loue, hurted but priuate persons, in priuate causes, hath still from tyme to tyme encreased more and more, and as it were the head of Hydra, as one mischiese hath bene redressed, moe haue risen, euen vnto the hyest offence, whiche growe by the want of speedy execution of the lawes made in that behalfe, as appeareth by the preamble of the Statut folowing.

33. H. 8. c. 10

Lawes

In the tenth Chapter of the Statutes made in the xxxij. yeare of the reygne of kyng Henry the eighth, wher in is conteyned as foloweth. For as muche as before tyme, dyuers good lawes, Statutes, prouisions and ordynances, haue bene made by the kynges Maiestye, and other his most noble progenitours, for the encrease & aduancement of the publyke and comen welth of this Realme of England, and of his hyghnesse Subiectes of the same, amongest the whiche, some speciall notable

and



# Reteynours. Fo.32

and profitable lawes, Statutes, ordy-  
naunces and prouisions, be very requi-  
site, conuenient and expedient, for the  
same common welth, duelye and dily-  
gently, to be put in daylye exercise and  
execution, and such as haue bene and  
bee authorized, to put in due and iust ex-  
ecution, suche speciall & notable lawes  
Statutes and ordinaunces, and to cor-  
rect and punyſhe the infringers, and  
contemners therof, in such wyse as ys  
limited by the same, haue bene verie  
remisse and negligent, in doing theyre  
offices, to the great detriment, hurt, &  
preiudice, to the common welth, for re-  
formation thereof, it is enacted by the  
Kynge, with the assent of the Lordes  
Spiritual and Temporal, and the co-  
mons in that Parlyament assembled,  
that all and singuler Iustices of peace,  
withyn any tye of England, Wales  
or other the Kynge's Dominions, shall  
perely, at the generall Sessions of the  
peace, to be holden next after the feaste  
of Easter, assemble them selues toge-  
ther

Iustices

Remisse

Iustices of  
peace

Ester sessions.

Assemble

C.ij.

ther

## Liueries and

Study.  
Lawes.

Reteyning  
Liueries

Deuise.  
Execution.  
Sixe weekes  
Sessions.

37. H. 8. ca. 7.

ther: that is to saye, euery number of them, within the limittes of their commissions, wherein they be named Iustices of peace: and at and vppon suche their assemblie, shal diligentlve together amongst them selues, perbse, ex- anyne, studie and knowe, the effectes, and true ententes of the Lawes & Statutes; heretofore made and prouyded, concernyng, or in any wyse touching, Reteynors, geuing of liueries, signes, tokens, or Badges &c. and euerye of them, and after the perbysing and deliberate vnderstandynge, of the sayde Lawes, Statutes and ordynaunces, they shal deuise amongst themselves howe the same may be best putt in due and iust execution &c. and then after in that Statute appointed the vi. weekes Sessions, the which vi. weekes Sessions, because in the 37. yere of kynge Henry the 8. as in Chapter 7. thereof, whych is in the Collection of Statutes the fourth Statute, yt apeareth that the Subiectes were muche trouayled and otherwyse encum-

encumbred, in comming and keepyng  
of and to the sayde fire weekes Sessi-  
ons, to their costes charges and vnqui-  
etnesse, were abrogated. And the same  
Statute made 33 yere of Kyng Henrye  
the eyght, the tenth Chapter repealed. Repeled  
And it was there enacted, that all and  
euery Artycles therein conteyned, shal  
be by vertue therof, inquired of before Inquire  
all Justyces of peace at theire auncient Justice of  
quarter Sessions, and that the same peace.  
Justices of peace, shal haue lyke power  
and auctoritie by vertue thereof, to pu- Punish  
nyshe and reforme all and euery suche  
offence and offences, in lyke maner &  
fournie, as they myght haue done by  
vertue of the sayd former acte made in  
the thre and thyrtye yere of Kyng  
Henry the eyght.

So that by force of those ii. Statutes,  
the Justyces of peace, haue power and  
auctoritie by othes of twelue men, or  
informacion, of any offences agaynst Information  
the sayde Statutes, to heare and deter- Heare and  
myne the same, and to make Proces determine  
Proces  
C. iij. agaynst



## Liueries and

**Judgement** agaynst the accused, and if they be con-  
**Forfeitures.** uide, by confession or verdict, to geue  
iudgement agaynst the conuict, of such  
paynes by imprisonment, or such paines  
losses & forfeitures of money, or bothe  
or anye of them, as are limitted by the  
seuerall Statutes, for suche offences,  
whereof they shalbe conuicted, & cause  
execution thereof to bee had and made  
**Execution** accordyngly.

And therefore it is necessarye for  
them to knowe all the lawes and Sta-  
tutes whiche haue ben made touching  
and concernyng thys matter of geuing  
of liueries and Retainours, for because  
that, although ther haue ben in sundry  
tymes dyuers and sundrye lawes and  
statutes made therof as afoze doth ap-  
pere, yet none of them do repeale or a-  
brogate, but confirme & ordeyne some  
newe matter for the better execution of  
the statutes befoze in that behalf made  
as befoze in this Pamphlet doth apere,  
and all whiche Statutes do yet stande  
and abyde in their full force, and maye  
be

be put in execution against thoffendours  
of the same, as apeareth by a booke case  
Reported in the Reportes of Hillarye  
Terme, the fyfth yere of King Henrve  
the seuenthe, the tenth case vppon the  
rby lease, whyche is abridged, the se-  
uenth case, in the tytle Accion sur lesta-  
tute in Master Fitzherberts great Ab-  
bridgement, where Seriaunt *Mordant*  
sayth, that as there be dyuers Statutes  
of Liueries, so vpo those statutes there  
be dyuers punyshments & dyuers or-  
dinances, and diuers answers to them,  
and in the ende of the same case *Hussey*  
then chiefe Justyce, sayde that the par-  
tye whiche receyueth a liuery shalbee  
punished notwithstandinge, that hee  
doth not at any tyme were yt, if he re-  
ceiued it as a liuery. And ther is a que-  
stion moued, yf he doth make to him a-  
ny other thing of it, whether he shalbee  
punished for the resceyt, whereunto is  
answered, that he should be punished  
for that that hee offended the Statute,  
when he receyueth it. But I thynke  
C.iiii. that

5. 6. 7. f. 17

## Liueries and

that that aunswere is to be vnderstood of those Statutes whyche do forbid the giuing or receyuing of liueries. But the Statute made in y<sup>e</sup> sixteenth yere of Kyng Rycharde the 2, the fourth Chapter, which is befoze on the nyynth leaf, doth not forbid geuing nor receyuing but onely vsyng and wearyng of liueries, and note that Officers are not excepted in that Statute, and therefore may Iustices of peace by vertue thereof punyssh accoꝝdyng to theyre discretion, suche as are made Baylyffes and Officers to thentent to defraud the penalties of the Statute: as by the same Statute appeareth. And for the further knowledge of the lawe touchyng these matters, I woulde aduertise the Readers hereof to consider and learne hereby, first the euyl that moued the Lawe to thynke that to be an offence, then, what the prohibitions thereof are, whyche agaynst the giuer, and whiche agaynst the recepuer, and howe farre they seuerally extende, then howe it is  
to



to be proceeded agaynst the offenders,  
 befoze whome, in what sorte, what pro-  
 ces, and what Iudgement and penal-  
 ty doth ensue, in whych order, I had  
 firste thought to haue publyshed thys  
 Treatysle, but that I doubted I then  
 should fayle, and perhappes leaue some  
 out of thys Collection, and therefore  
 thought good to vse thys Methode, the  
 rather, for that the rest of the whole  
 lawe is wrytten in this sorte *Historicē*.  
 And in perusing this Booke, may you  
 perceyue, the dyuers discommodities  
 whych do arysse in y<sup>e</sup> comon wealth, by  
 retaynyng and giuyng of liueries:  
 What remedies the law (a good Phi-  
 sitian for the comon wealth) hath pro-  
 uyd, the maner of the execution and  
 applicacion of the same remedies, and  
 who haue auctority & shoulde bee mini-  
 sters therof. And therefore since thys  
 Treatise taketh away fro all, to whose  
 handes it may come, the excuse of ig-  
 norauce of their duitie herein: God  
 graunt, that the practyse thercof, maye  
 from

## Liueries and

from our Magistrates auoyde the accusation, wherewith Demosthenes charged Athens, that they entended moze to the making & wyptynge, then to the executing of Lawes: Where the good Magistrates ought rather *præuertentes curare ne subditi tales sint, qui alicuius rei aut turpitudinis patranda desiderio teneantur: quàm in patrantes scueriter animaduertere.* And since it hath pleased the Queenes Maiestie, in her late Proclamation, to vse all the partes of a Just and gracious Prince, in declaring thoffences, and perswading from the same, forgeeuyng them that are past, threating and proupyng punishment to the offendours hereafter, heereunto haue I toynded her Maiesties sayde Proclamation, trusting my labour in collectyng these Lawes, and thus offerpge them to your vielwe, shalbe, as I meane them, accepted.

A Pro

A Proclamation for the execution  
of the Lawes made against vnlaw-  
full Reteynors. &c.

(. . .)



**H**e Queenes Ma-  
iestye vnderstan-  
dyng as well by  
her owne carefull  
observation of her  
policie, as by re-  
porte of suche as  
haue the admini-  
stration of Iustyce in her Realme,  
howe vniuersallye the vnlesfull retey-  
nyng of multitude of vnorrdinary ser-  
uauntes by liueries, badges, and other  
signes & tokens, contrary to the good  
and auncient Statutes and lawes of  
thys Realme, doth manifestly wyth-  
draue from her Maiestyes crown, the  
due seruices of her Officers, tenaunts,  
and Subiectes, and doth also playnlye  
hynder Iustice, and disorder the good  
policie of the Realme, by maintenance  
of vnlesfull suites and tytles, and by  
stirring vp and nourysshing of factions  
ryots,



## Liuceries and

spottes, and vnlesfull assemblies, the mother of rebellion, besydes such other greate inconueniencies that alreadye are seene, and moe lykely dayly to folowe, yf speedie reinedye be not prouyded, for thys purpose, is moued wpyth a moste earnest intention, to procure a speedye reformation thereof. And because her Maiestyes intent is, rather to haue generallye her lawes duelye obserued, and the defaultes quietly reformed, then the greate forseyntures to be leuyed, whych are due to her Maiesty, and myght greatlye by iustice enriche her treasure, specially in the streyghts execution of the sayde lawes, aswell by the persons that haue and doe vnlawfully reteyne others, as also by them that are so vnlawfully reteyned agaynst the Lawes: Therefore her Maiesty of her speciall grace, doth by thys her Proclamation notifie to all persons, of what estate or degree soener the same bee, who shall after the twentyth daye of February next folowynge, vnlawfully reteyne

reseyne, or be reseyned, in any seruyce  
 by liuerye, badge, or other token, con-  
 trarye to the Statutes and Lawes of  
 thys Realme therefore prouyded, the  
 same shall not haue anye maner of fa-  
 uour or grace of her Maiestie, for anye  
 suche offence committed agaynst the  
 sayde lawes, before nor after the same  
 twentith daye. And contrarywysse,  
 whosoever shall vpon thys admoni-  
 tion forbear to offende heerein, from  
 and after the sayde twentith daye of  
 February next, shal not be in any wise  
 impeached at her Maiestyes suite, nor  
 shall forsayt any thyng to her Maiesty  
 for the same: And so her Maiestyes  
 pleasure ys, that all her Justices and  
 Officers, before whome anye suite ys,  
 or shalbee commenced for any offence  
 committed, or to bee committed, before  
 the sayde twentith daye of Februarie,  
 to haue regarde to thys her Maiestyes  
 gracious dispensation, And for the bet-  
 ter execution of the Lawes and Sta-  
 tutes remaynyng in force agaynst  
 any

## Liueries and

anye suche vnlesfull Reteynours, her  
Majestie chargeth all maner her Justi-  
ces and officers, to whome the executio  
of the same is prescribed, to cause inqui-  
sition or examination, accordyng to the  
sayde lawes, to bee made in all places  
of the Realme, immediatly, or as soone  
as conueniently they may, after the  
sayde twenty day of Februarie: And  
that all Justices of Assyse, and Gaole  
deliueres, as well in towne corpor-  
ate, and Franchises, as in any Coun-  
tyes, shall at theyr next Sessions haue  
due regarde by good examination and  
tryall, that no person be impanelled in  
any Jurye before them, that ys vnle-  
sfully retayned, wythout due reforma-  
tion and punysshing of the same, for the  
better example thercof, in theire open  
Sessions. And further they shall cause  
a sufficient newe Jurye to bee charged  
aparte at the same Sessions, diligently  
for that onely purpose, to enquire of  
the poyntes and articles of all the Sta-  
tutes beynge in force, and specially of  
the



the Statute made the thyrde yere of her  
Majestyes noble graundesfather kynge  
Henry the seventh, agaynst unlawful  
Reteynours, and geue also some order,  
that (as the trueth may be therein vnder-  
stande) some good euvidence maye bee  
geuen to the sayd Iurys in that behalf.  
And that all other thynges, by the care  
of the sayde Iustices, may be done both  
at their next Sessions, and at all other  
their Sessions folowynge: Whereby  
the inconueniences aboue mencioned,  
may be the more speedely reformed,  
and the Lawes hereafter in this behalf  
better kepte. And to the intent her  
Majestie may be the better satisfied in  
her earrest desyre, to see the effecte of  
her desyre in this behalfe, her Majestie  
willeth, that her sayde Iustices of As-  
sise, shall after theyr next Sessions, at  
some conuenient tyme, make reporte  
to her Majestie, of their doynge, and  
of their opinions, for the better exe-  
cution hereof, as cause shall requyre.  
And further, her Majestie chargeth all  
maner

## Liucres and

maner of persons, that haue anye ser-  
uauntes vnlesfully reteyned, by liue-  
ries, badges, or by any other compacte,  
who shall requyre to be discharged, for  
anye offence punysshable, before y<sup>e</sup> sayd  
twentyth day of Februarye: that they  
shall before the sayde twentyth daye,  
discharge theyr sayd seruauntes so vn-  
lesfully reteyned, of theyre seruyces, in  
respect of the daunger of the lawes:  
And therupon the sayd seruauntes shall  
accept the sayde discharge, and shall  
ceasse to weare the badge, or other to-  
kens whereby they were accustomed  
to be reteyned, vppon payne that if the  
sayde seruauntes shall continue to bee  
reteyned vnlesfully, in the sayd seruyce,  
or in wearyng of the same badges, or  
tokens, after the sayde twentyth daye  
of Februarye, they shall not bee anye  
wise forborne from punishment, for  
their defaultes committed agaynst the  
lawes before the sayde twentyth daye  
of Februarye. And forasmuche as by  
the sayde Statute made in the thyrde  
pere

pere of her Maiesties noble graundefa-  
 ther kyng Henry the seuenth, prouisi-  
 on is spectallye made vppon weygh-  
 tye considerations, by greate penalties  
 of forseyntures agaynst sundrye Offi-  
 cers, as Stewardes, Audytours, Re-  
 ceauers, and Baylyfes of the Queenes  
 Maiestyes Honours, Manours, and  
 Landes, and agaynst Constables, or  
 keepers of her Maiesties Castles, war-  
 dens, masters of games, Parkers, kee-  
 pers, or any other offycer of her Maie-  
 styes Forrestes, Chases, Parkes, or  
 Warrens, for beyng them selues vn-  
 lawfully reteyned, or for their unla-  
 wfull reteynynge, or for sufferynge to be  
 reteyned any maner of person, dwel-  
 lyng wthin theyr sayde offices or rules,  
 wout enfourmyng her Maiesty therof  
 wthin fourtie dayes, and also agaynst  
 all her Maiesties Farmours, or tenants  
 of any of her landes, that are or shalbe  
 vnlesfully reteyned by any others, vpo  
 peyne of forseynture of theire Farmes:  
 Her Maiestie hath thought good, speci-

*F. i.*
*ally*



Liueries & R. eteynours.

ally & particulerly, for better informa-  
tion, and to amoyde ignorance, to geue  
warnyng heredf to all persons haupng  
any such offyces, and to all other being  
her Farmours or tenants, whom the  
saide Statute may touche, that they al-  
so do speedely resourme them selues in  
the offences therein perticulerly speci-  
fied, before the sayde xx. of February,  
vpon payne that if they shall not doo,  
her Maiestye assureth them, that shee  
will not in anye wyse remitt the saide  
penalties and forseitures, which by ex-  
ecution of the sayd Statutes, and other  
her lawes, may duely & iustly grow to  
her for the offences that are or shalbee  
committed before the sayde xx. daye of  
Februarye, agaynst the sayde lawes &  
Statutes.

Given at her highnesse Pallace of  
Westminster, the thyrde day of Janu-  
arie 1571 in the fourteenth yere of her  
Maiesties raygne.

God saue the Queene.

## Justices of peace



Ercepyng and  
foresceyng that  
ther e would bee  
in thende hereof  
certeyne whyte  
leaves & boyde  
paper , and for  
that I haue here  
in employed my

traueyl for the only vse of them which  
haue auctoritye, as befoze appeareth,  
to punishe those persons , to whome yt  
were not inoughe that the lawe com-  
maundeth and willeth thys, though yt  
be agreyng wyth reason: vnlesse it did  
also appoynt a greuous punyshment  
for the transgressours , and not to the  
ende I myght encrease y skill of them,  
whyche of their malice, indeuour theyr  
wyttes how to wrest the woordes of the  
lawe, not carynge howe wickedly they  
do, so that they eschape the punyshment  
comprehended in the woordes of the  
lawe, not consideryng that the reason  
J.ii. ys the

## Iustices of peace.

The declara-  
tion of the ta-  
ble folowynge.

ys the lawe, and the woordes but the  
pycture & shadow therof: I therfore for  
theyr further vse thought good in part  
to furnysh by the rest wyth this short  
Index or Table of those Statutes the  
whyche doe mencion and authoryse  
Iustices of peace, wherein I haue pla-  
ced together the notes of those statutes  
which were made in one Kinges tyme,  
beginnyng at those whych were made  
in the time of King Edward the thyrde:  
before whose tyme there was no Iusty-  
ces of peace, but Cōseruatours of peace  
as Constables &c. and so descendynge  
vntill this day, placynge euery such sta-  
tute in suche order, as they were in  
tyme made, as by these Colomnes fo-  
lowynge appereth, wherin after y name  
of the Kyng, whyche declareth that the  
Statutes folowynge, were made at  
Parlyamentes holden durynge his  
raygne, then the fyrste fygure vnder  
wrytten, sheweth in what yere of his  
raygne the Parlyament was holden.  
And the next ouer agaynste it in what  
Chapter



## Iustices of peace.

Chapter, the Statute for thys matter was made, whych you may fynde in Master Massalles Collection of Statutes, in that tytyle, the woorde wherof ys there placed ouer agaynst it: At that nōber which next foloweth that tytyle. And where you see a fygure in the seconde Row, wherein the number of the Chapters are contained, and no figure ouer against it, in the first Row, wherein are contayned the number of yeres of the raygne of the Kynges, wherein the Parlyamentes were holden, then that is to bee vnderstoode, a Chapter of the Statutes made at the Parlyament holden the yere last befoze in that row noted, and lyke wyse where the woord of the tytyle is omittted, there is that Statute to be founde in the tytyle laste befoze noted, at that number whych ys placed next after the voyde place of the tytyle, and where the woorde of a tytyle ys, and no number for the Chapter, there the Chapter afoze noted is in so many seuerall tytles.

F. iij.

Ed.

# Justices of peace.

¶ Edward the thyrde.

			1	13	Dures.	1
			12	6	Armour.	6
1	7	Peace.	10		Just. of p.	5
	16	Justices of	13	7		6
		peace.	1	11	Drapery.	15
2	3	Armour.	4	13	Hunters.	1
4	2	Justices of	14	4	Wolles	16
		Cattle deliv.	2	11	Just. of p.	7
5	10	Jurours.	5	15	Forcible en-	
	11	Proces	3		tre.	2
9	2	Records	1	16	Lineries.	2
14	10	Prison.	3	17	Hauens.	2
18	2	Justices of		10	Just. of gayle	
		peace.	2		delivary.	3
25	2	Labourers	8	20	Lineries	4
34	1	Justices of				
		peace.	3			
	5	Weyghtes	17		¶ Henry the fourth.	
	6		18	1	Lineries.	5
36	12	Just. of p.	4	2		6
42	4	Comissions.	3	5	Watches.	1
	9	Estreates.	3	10	Prison	5
				7	Arrowhedds	1
				13	Spottes.	3

¶ Richard the second.

1	2	Peace.	2
---	---	--------	---

**Justices of peace.**

1	1	Henry the fyfth.	19	Capitaines.	4
6	1	10 Weyghtes	20	8 Purueyours.	31
5	2	4 Laborers	23	14	32
6	1	8 Kyottes.	4	5	22
15	1	1 Just. of p.	8	10	Shiriffes.
1	3	11 Money.	29	11	Parliamēt
16	8	3 Gold.	6	3	Marches.
7	9	8 Weyghtes.	25	33	2 Lancaster.
		Henry the sixt.		7	Attourney.
2	2	8 Ireland.	8		Edward the fourth.
2	11	11 Weights.	24	1	2 Shiriffes.
2	14	14 Golde.	8	3	1 Molles
	8	4 Liueries	9	4	1 Drapery
3	5	5 Weights.	26	8	2 Liueries
4	9	9 Forcible en-		12	9 Eschetour.
		tre.	3	17	4 Tyles.
	14	14 Kyott.	6		Richard the thyrd.
5	11	1 Furours.	10	1	3 Eschape.
6	6	6 Discontinuāce		7	6 Fynes.
1		of proces.	1		Henry the feuenth.
5	8	8 Weights.	29	1	7 Felony.
1	12	12 Marechaun-			
3		delers.	1		
	14	4 Justices of p.	9		
	18	11 Just. of p.	10		



# Iustices of peace.

3	1	Inditements.	5	21	11	Restitucion.	1	27
		Murder.	2	22	5	Bridges.	1	
		Iust. of p.	11		10	Egyptians.	1	
	3	Mainprise.	6		11	Felony.	11	
4	12	Proclamaci-			12	Macabondes	2	28
		ons.	3		14	Abjuracion	5	31
7	1	Capitaines.	5	23	1	Clergie	14	
	3	Weyghthes.	32		2	Prison.	8	32
11	4		33		4	Colopers.	1	
	9	Tindall.	3		8	Hauens.	9	
	15	Shirpyffes.	31		16	Felony.	13	
	17	Felauntes.	1		18	Hauens.	8	
		Hawkyng.	3	24	6	Wynes.	19	33
12	5	Weyghthes	34		9	Calues.	2	
19	11	Hunters	2		10	Crowes	1	
	12	Alchowses.	1		13	Apparell.	5	
	13	Kyott.	7	25	6	Felony.	14	
					8	Hauing.	2	
		¶ Henry the cyght.			11	Wildsoule	1	
1	7	Coroner.	7		13	Sheepe	2	
	8	Eschetour.	11	26	5	Passages	10	
3	12	Dannell.	4		6	Wales	25	34
4	7	Petwoterer.	2		7	Hye wayes.	1	
6	7	Passages.	8		12	Clergy.	17	
14	6	Hyghwayes.	1	27	5	Chester.	3	35
	10	Huntynge.	3		16	Inrolments.	1	

# Justices of peace.

27	20	Tythes.	5
	23	Hauens.	9
	24	Franchises	20
		Monasteries	9
28	14	Wynes.	20
31	8	Proclamaci	
		ons.	5
32	7	Tythes.	8
	13	Horses	6
	17	Paupng	3
	41	Horsbread.	1
	43	Chester	4
33	1	Counterfay	
		tyng of let	
		ters or pry	
		ue tokens	1
	5	Horses	7
	6	Crossebolws	2
	9	Playes	2
	10	Execution of	
		statutes.	3
34	12	Paupng	4
	14	Certificate	1
		Wales	32
35	11	Parlyamēt	19
	17	Woodes	3

37	1	Custos Rotu	
		lorum.	1
	7	Execution of	
		statutes.	4
38	28	Wales.	32

## Edward the sixth.

1	1	Seruyce and	
		sacramēts.	1
	5	Horses.	8
	7	Discontinuāce	
		of Proces.	2
2	2	Capitaines.	5
	7	Pencions	3
	14	Crossebolws.	2
	15	Artificers	3
	19	Holy dayes	1
	24	Tryall	15
3	1	Custos Rotu	
		lorum.	2
	2	Draperp	51
	16	Wacabonds.	5
5	1	Seruyce and	
		sacramēts.	3
	4	Fightyng.	1
	21	Pedlers.	1

# Iustices of peace.

5	24	Porwyche	3	2 & 3. 7	Fayres.	6
	25	Aleholwes	2	8	Hyghways	4
7	5	Wynes.	23	10	Wylson	9
	7	Fuell.	2	13	Woolles.	44
				15	Uniuerſi	

## ¶ Queene Mary.

Parliamento. 1  
Sessione. 2

1	3	Seruite & Sa	
		craments	4
	8	Shirvffes	36
	9	Phylsycy	
		ons.	7
	12	Ryottes.	9
	14	Wylson.	8

## ¶ Philipp & Mary.

1 & 2.	2	Apparell.	6
	3	Pewes	4
	4	Egiptians	2
	5	Wytayles.	2
	13	Waynpriſe	7
2 & 3.	3	Calues.	4
	6	Puruey	
		curs.	36

		tyes.	1
	16	Paſſages	11
	18	Iuſtices of	
		peace.	12
	19	Felony.	11
4 & 5.	2	Armour	8
	3	Muſters.	1

## ¶ Queene Elyzabeth.

1	13	Lynnen	
		cloth.	2
	18	Fyſhe.	16
5	1	Crowne.	8
	2	Huſbandry.	7
	3	Macabonds.	8
	4	Laborers.	38
	5	Shyppes.	13
	8	Cordiners	22
	9	Periury.	1
	10	Felony.	



# Iustices of peace.

5	12	Cozne.	7	8	9	Colopers.	2
	13	Hyghe wa-		13	2	Rome.	6
		yes.	5		8	Usury.	8
	15	Prophecles.	2		9	Sewers	12
	16	Coniuraci-			13	Cozne.	8
		ons.	1		18	Lee Ryuer	1
	17	Felony	14		19	Hattes and	
	20	Egiptians	3			Cappes.	7
	21	Fythe	17		21	Uniuerſe	
	24	Prisons	10			ties.	2
8	3	Shyppes.	14		23	Daupng.	

FINIS.